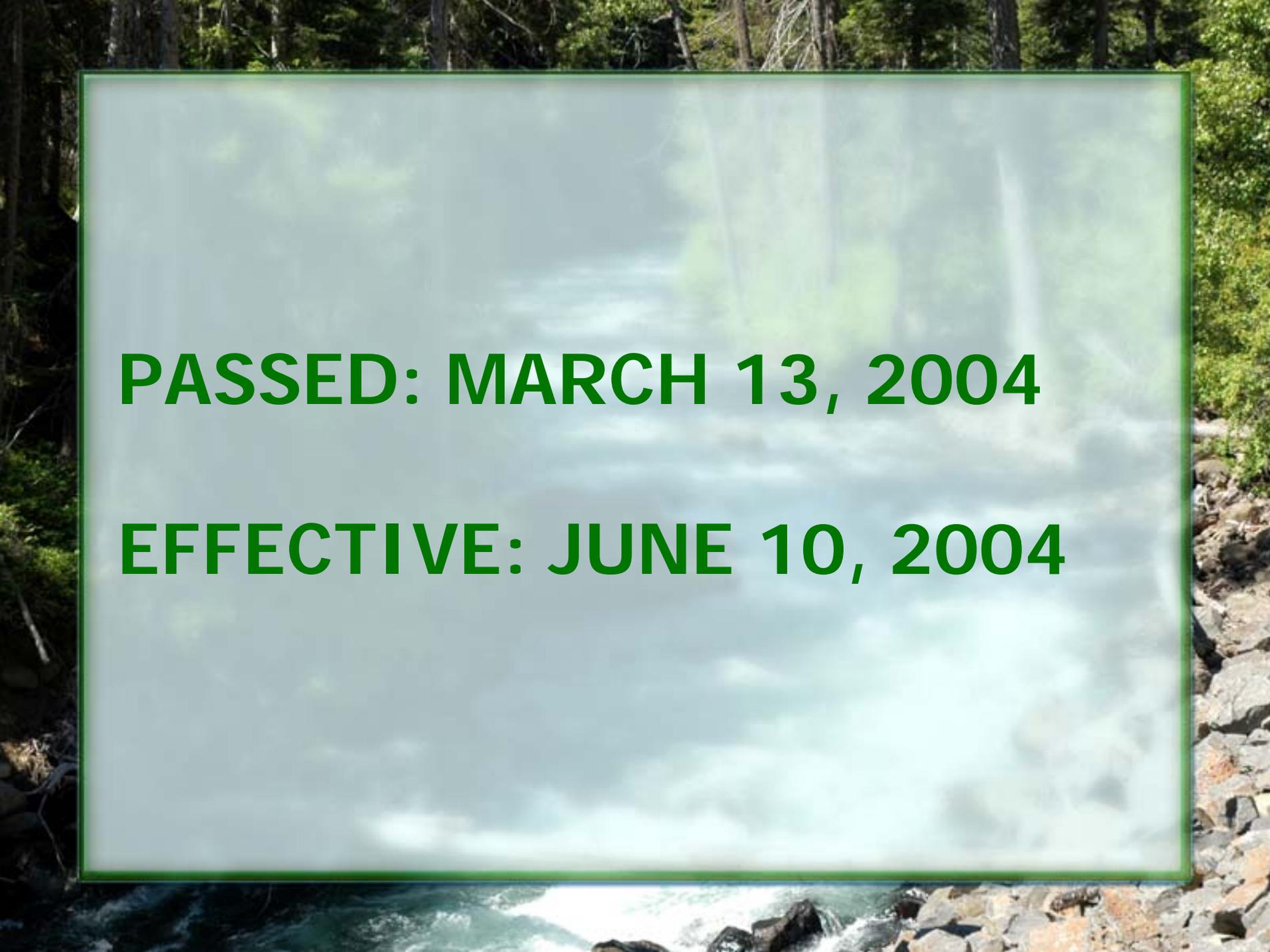


WEST VIRGINIA

WATER RESOURCES PROTECTION ACT

West Virginia Code
Chapter 22, Article 26



PASSED: MARCH 13, 2004

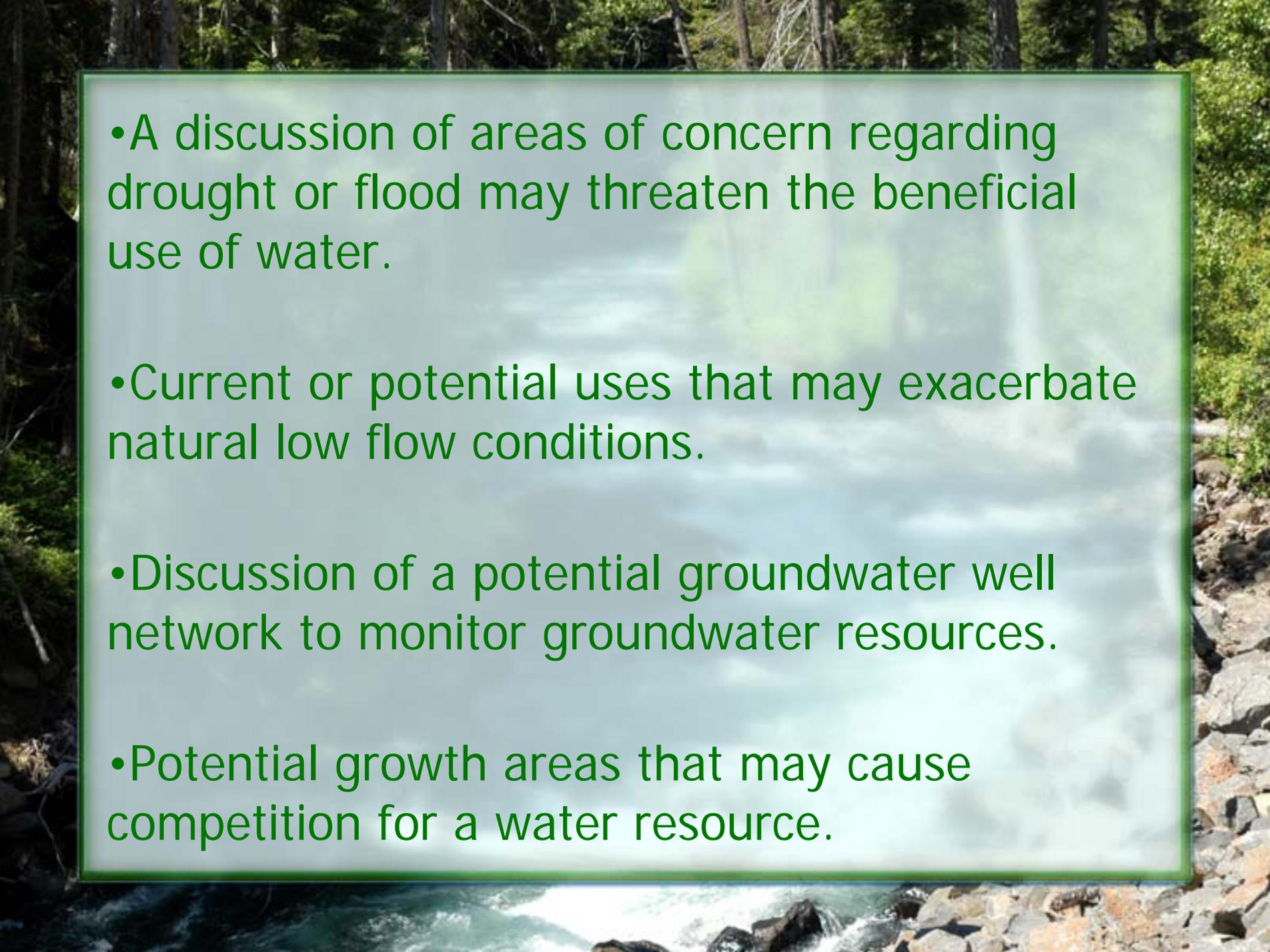
EFFECTIVE: JUNE 10, 2004

Requirements of the Act

- A Survey of large quantity water users
- Creation of a registration program
- Quarterly reports to the Joint Legislative Oversight Commission
- Final report by December 31, 2006

Final Report Elements

- The location and quantity of all surface water and all groundwater resources in the state.
- A discussion of consumptive and non-consumptive water withdrawals.
- A listing of each person whose withdrawal is greater than 750,000 during any calendar month, beginning in 2003.

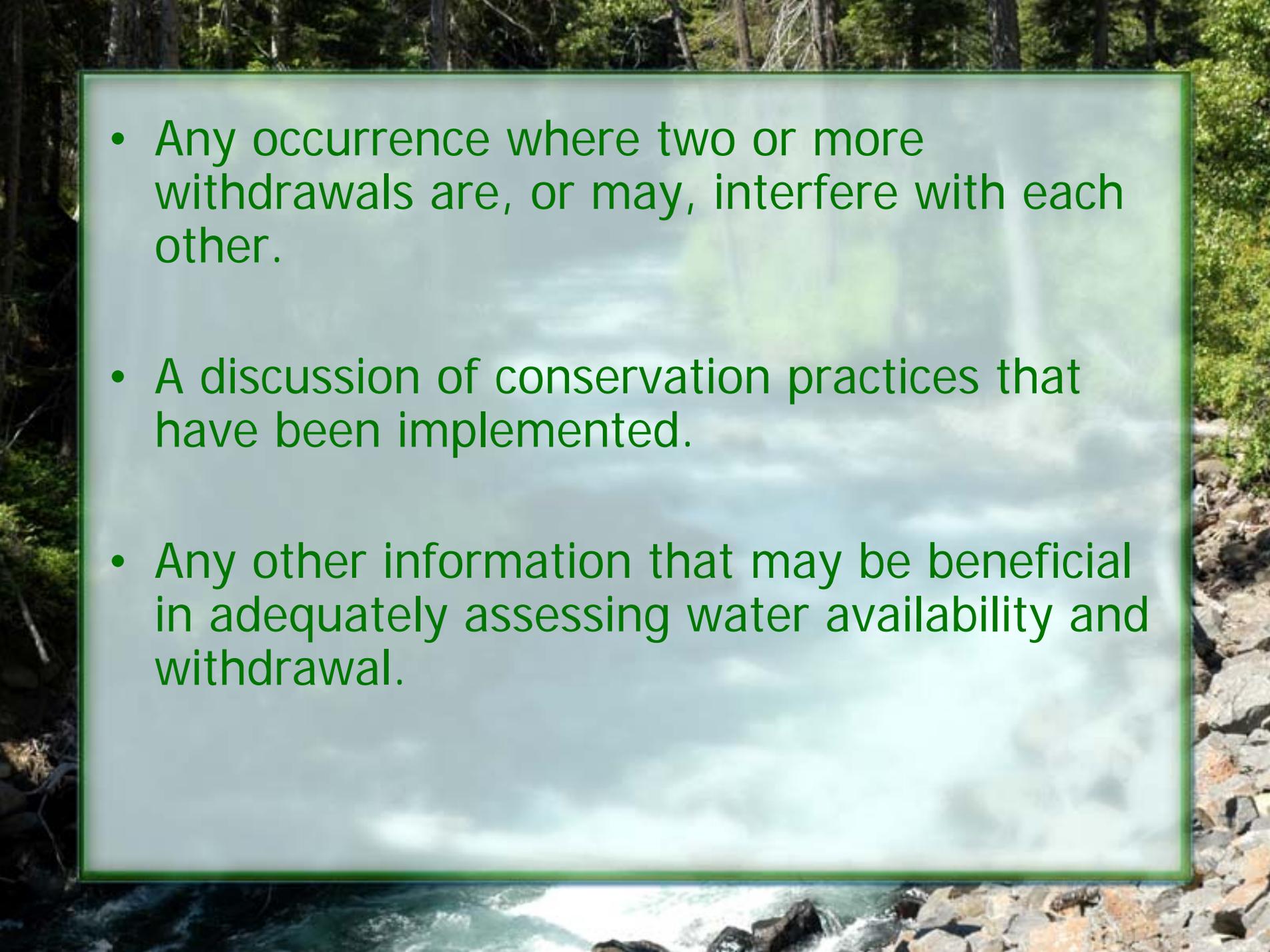


- A discussion of areas of concern regarding drought or flood may threaten the beneficial use of water.

- Current or potential uses that may exacerbate natural low flow conditions.

- Discussion of a potential groundwater well network to monitor groundwater resources.

- Potential growth areas that may cause competition for a water resource.

- 
- Any occurrence where two or more withdrawals are, or may, interfere with each other.
 - A discussion of conservation practices that have been implemented.
 - Any other information that may be beneficial in adequately assessing water availability and withdrawal.

The Survey

- The survey was released on March 31st and is to be completed by July 1st.
- At this time, approximately 430 entities, of the 1600 that were notified, have responded to the survey.

Penalty Rule

- The act provides for a penalty of up to \$5,000 for failure to complete the survey or register, to provide other information as required by the article, or providing false or misleading information.
- WV-DEP promulgated a procedural rule for penalty assessment (60 CSR 6).

Confidentiality Rule

- The act also included provisions for declaring information submitted to the DEP confidential.
- The agency drafted 60 CSR 7, “Confidential Information under Water Resources Protection Act”, and will shortly submit the final rule to the Secretary of State’s Office.

The Future

- After submission of the final report in 2006, no further action, other than maintaining a registry of large quantity users, is required.
- WV-DEP is to make recommendations to the legislature for further actions, if any, at that time.

Contact Information

WV Department of Environmental Protection
Division of Water and Waste Management
601 - 57th Street, SE
Charleston, WV 25304

Michael I. Stratton (304) 926-0499 ex.: 1280

A photograph of a waterfall cascading over rocks in a forest. The water is white and frothy as it falls. The surrounding area is lush with green trees and foliage. A semi-transparent green box is overlaid on the image, containing the text "Questions???".

Questions???



dep

west virginia department of environmental protection